



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



March 6, 2003

LETTER OF DEFICIENCY #WSEB 03-024
CERTIFIED MAIL 7099 3400 0003 0691 0935

Earl T. Marshall, Jr.
Marshalls Mini Mart
P.O. Box 186
Rindge, NH 03461

Subject: Rindge - Public Water System: Marshalls Mini Mart (EPA #1998010)

Dear Mr. Marshall:

The records of the Department of Environmental Services (DES) show that Marshalls Mini Mart water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit bacteria samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Admin. Rule Env-Ws 325.

DES records show that the subject water system failed to submit bacteria samples and as a result Monitoring/Reporting (M/R) violations were issued for the following months:

October 2001, October 2002 and January 2003

In view of the Monitoring/Reporting violations, DES believes the deficiencies can be corrected by taking the following action:

By March 20, 2003, submit a water "make up" sample for bacteria analysis to the state laboratory, or a state-certified laboratory, in accordance with NH Admin. Rule Env-Ws 325.

In the future, submit routine water samples for bacteria analysis during the water system's scheduled sampling months of **January, April, July and October**.

Pursuant to Env-Ws 351, owners of public water systems are required to issue public notification when a system has failed to monitor for bacteriological water quality. DES records show that the water system has failed to perform public notification for the October 2001 and October 2002 monitoring violation. Additionally, to date the water system has not submitted proof of public notice for the January 2003 monitoring violation.

Letter of Deficiency #WSEB 03-024

Marshalls Mini Mart

March 6, 2003

Page 2 of 2

In view of the public notice violations, DES believes the deficiencies can be corrected, and future violations prevented, by taking the following actions:

- 1 **By March 20, 2003**, carry out the public notice requirements for the sampling violations listed above; and
2. **By April 3, 2003**, provide proof of public notice to DES.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please contact Alan Leach by phone at (603) 271-2854 or by e-mail at aleach@des.state.nh.us, if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony P. Giunta', is written over a large, bold, black 'COPY' stamp. The signature is fluid and cursive.

Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

\\wseb\enfmom\enforce\lods\bact\1998010 mr-pn lod 03-024.doc

Gretchen Rule, DES Legal Unit
Dr. Gerald Parker, Town of Rindge Health Officer
EPA, Region 1